

DURHAM



CITY OF DURHAM

1869
CITY OF MEDICINE

To: Chief Jose L. Lopez, Sr.
From: Sgt. T.J. Stubbs, Staff Inspections
Date: March 18, 2015
RE: Annual Administrative Review of Traffic Stop Data - 2014

Pursuant to GO 4074, a review of traffic stop data was conducted for the year 2014. This review is designed to identify any trends, patterns or issues that may provide for an early indication of race, or bias based profiling. Biased based profiling can alienate citizens and foster a distrust of law enforcement by the community. Since the Durham Police Department operates under a Community Orientated Policing philosophy, it is only in the best interest of the department and its ongoing mission, to identify any potential areas of bias based profiling and addresses those incidents promptly and appropriately.

Durham Police Department General Order 4074 strictly forbids bias based profiling. North Carolina General Statute 114-10.01 requires that the department keep statistics on vehicle stops. This review is an in-depth study of information captured and reported to the State of North Carolina, as well as data captured and stored in the Computer Aided Dispatch (CAD) and is included in this report. The demographic data utilized is from the 2010 US Census.

Additional sources of information used in preparation of this report and its findings consist of voiced community concerns, citizen complaints, Professional Standards investigations, and violations of policies and procedures. An annual review of the current policy is conducted as part of this inquiry to ensure its value in practice and principle.

The following charts of traffic stop data were analyzed as it pertains to the initial purpose of a traffic stop, the enforcement action and the potential for being searched during a stop. All three charts reflect gender, race and ethnicity to gain a numerical view of any trends. Additionally, my review will consist of a five year comparison to seek out any long-term trends or issues that may potentially require further agency attention/discussion.

In summary, the officers with the highest racial disparity in vehicle stops also worked in the districts which represent the highest minority population and the highest level of policing due to the higher crime rates and calls for service. In addition, when we look at the traffic services unit which conducted 4,909 (2,222 during the June 2014-December 2014 period) traffic stops as a unit (the most of any unit due to the nature of their job and the majority of

those stops are for traffic violations throughout the city) the breakdown is 47% black and 39% white which is much closer to the demographics of the city as a whole. The numbers provided on the officers do not account for off duty assignments such as Bull's Eye and Southside patrols which are in areas with a high concentration on black residents which will affect their traffic stop percentages outside of their normal duty assignment.

An additional aspect of this report includes the compilation of search data as a result of traffic stops. During 2014 21,939 vehicle stops resulted in 2,035 (1,294 drivers) persons being searched, a number that includes 741 passengers that were searched as a result of a vehicle stop. Therefore, this does not mean that 2,035 vehicles were searched but rather a lower number. Overall, as the driver of a vehicle, there is a 6 percent chance that you will be searched as a result of a traffic stop. The information provided from the Justice Department from the SBI-122 traffic stop reports tracks searches by the number of occupants searched, not by the number of vehicles. An analysis of State data and internal records revealed a possible discrepancy in consent form use. This has and is being addressed by Command has shown improvement through training and inspection.

Initial Purpose of Traffic Stop by Driver's Sex, Race, and Ethnicity

1/1/2014 through 12/31/2014

Purpose	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non-Hispanic	Total By Ethnicity
Checkpoint	F	151	146	0	1	0	298	115	183	298
Checkpoint	M	290	271	4	3	0	568	221	347	568
Driving While Impaired	F	2	7	0	0	0	9	0	9	9
Driving While Impaired	M	26	5	1	1	0	33	22	11	33
Investigation	F	125	204	1	2	0	332	59	273	332
Investigation	M	269	402	2	4	7	684	166	518	684
Other Motor Vehicle Violation	F	54	76	0	2	0	132	17	115	132
Other Motor Vehicle Violation	M	114	190	0	2	2	308	56	252	308
Safe Movement Violation	F	287	398	5	22	2	714	67	647	714

Safe Movement Violation	M	507	757	13	38	12	1327	141	1186	1327
Seat Belt Violation	F	60	170	2	2	2	236	12	224	236
Seat Belt Violation	M	142	298	4	2	6	452	35	417	452
Speed Limit Violation	F	1399	1939	22	66	10	3436	211	3225	3436
Speed Limit Violation	M	2130	2274	49	132	24	4609	408	4201	4609
Stop Light/Sign Violation	F	260	348	3	11	0	622	53	569	622
Stop Light/Sign Violation	M	377	507	14	31	8	937	113	824	937
Vehicle Equipment Violation	F	259	676	7	10	0	952	81	871	952
Vehicle Equipment Violation	M	530	1169	8	15	6	1728	239	1489	1728
Vehicle Regulatory Violation	F	597	1333	2	15	2	1949	158	1791	1949
Vehicle Regulatory Violation	M	861	1710	8	23	11	2613	338	2275	2613
Female Total	F	3194	5297	42	131	16	8680	773	7907	8680
Male Total	M	5246	7583	103	251	76	13259	1739	11520	13259
Total	A	8440	12880	145	382	92	21939	2512	19427	21939

Enforcement Action Taken by Driver's Sex, Race, and Ethnicity

1/1/2014 through 12/31/2014

Action	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non-Hispanic	Total By Ethnicity
Citation Issued	Female	1638	2350	20	59	10	4077	465	3612	4077
No Action Taken	Female	93	181	0	3	1	278	23	255	278

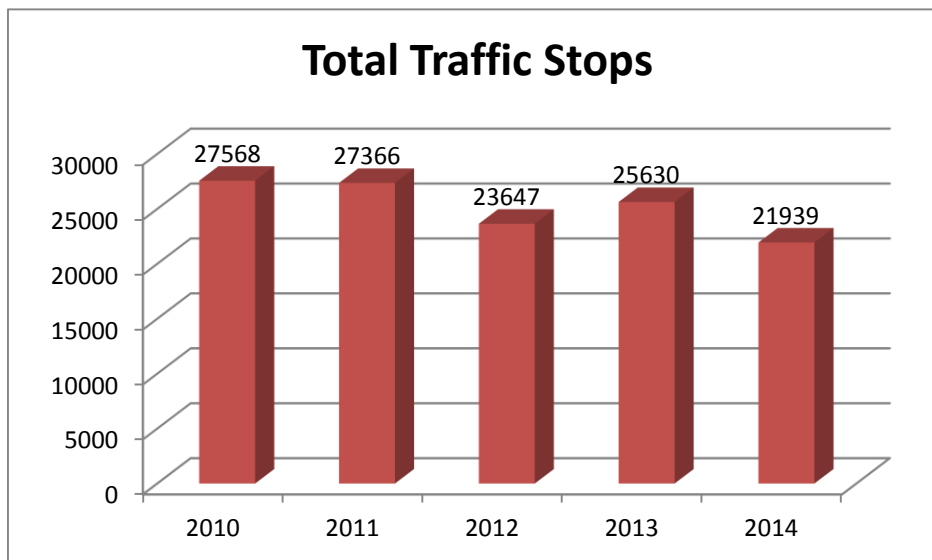
On-View Arrest	Female	17	46	0	0	0	63	4	59	63
Verbal Warning	Female	1272	2405	21	59	4	3761	251	3510	3761
Written Warning	Female	174	315	1	10	1	501	30	471	501
Written Warning	Male	227	382	2	6	2	619	43	576	619
Verbal Warning	Male	2108	3734	44	110	36	6032	563	5469	6032
On-View Arrest	Male	79	175	0	2	0	256	57	199	256
No Action Taken	Male	173	298	0	4	1	476	53	423	476
Citation Issued	Male	2659	2994	57	129	37	5876	1023	4853	5876
Female Total	Female	3194	5297	42	131	16	8680	773	7907	8680
Male Total	Male	5246	7583	103	251	76	13259	1739	11520	13259
Total		8440	12880	145	382	92	21939	2512	19427	21939

**Initial Purpose of Traffic Stop by Driver's Race, and
Ethnicity 2010-2014**

Year	# Total Stops	White	Black	Hispanic	W/B disparity %
2010	27568	10895	15993	3755	32%
2011	27366	10761	15815	3382	32%
2012	23647	9019	14013	3203	36%
2013	25630	9537	15332	2959	38%
2014	21939	8440	12880	2512	34%
Total	127150	48652	74033	15811	34%

Enforcement Action Taken by Driver's Race and Ethnicity 2010-2014

Year	Total Number Citations/Arrests	White	% of Arrests to Stops	Black	% of Arrests to Stops	Hispanic	% of Arrests to Stops
2010	12373	5655	52%	7253	45%	2347	63%
2011	12446	1993	19%	6777	43%	2068	61%
2012	10416	1747	19%	5682	41%	1927	60%
2013	11526	2130	22%	6311	41%	1765	60%
2014	10272	1826	22%	5565	43%	1549	62%
AVG			27%		43%		61%



As indicated in the chart above traffic stops have decreased 20 percent over the five year period.

Drivers and Passengers Searched by Race and Ethnicity 2010-2014

Year	Total Number of Searches	White	% of Searches to Stops	Black	% of Searches to Stops	Hispanic	% of Searches to Stops	Total number of stops	Chance of search irrespective of race/ethnicity
2010	2338	452	2%	1652	6%	234	1%	27658	8%
2011	1422	297	1%	1000	4%	125	<1%	27336	5%
2012	2338	452	2%	1652	7%	234	1%	23647	10%
2013	2854	501	2%	2111	8%	242	1%	25630	11%
2014	2387	467	2%	1653	8%	246	1%	21939	11%

Durham Police Compliance Rate for Traffic Stop Reporting 2010 – 2014

CY2010	88.0%
CY2011	86.0%
CY2012	83.8%
CY2013	88.8%
CY2014	90.3%*

*During 2014 Crime Analysis developed a process to account for officers in training and other two officer cars and using that algorithm the compliance rate for stop forms is 95.6%.

The following is a comparison of traffic stop data from similar sized and larger cities within North Carolina.

	Durham	Charlotte	Greensboro	Raleigh	Winston-Salem	Fayetteville
Population*						
White %	43	60	48	58	51	46
Black%	41	32	41	29	35	42
Traffic Stops	21,939	146,202	37,061	67,091	34,686	35,257
White %	38	43	39	50	50	41
Black %	59	52	58	46	49	56
Chance of Search						
Total searches	2,035	8,441	1,895	3,761	925	1,553
White %	2	1	1	2	1	1
Black %	8	4	4	4	2	3
Search Rate	9%	6%	5%	6%	3%	4%
*2010 census data						

Findings 2014 Trends:

- There is a 34% disparity between black and white motorists stopped in 2014. This is a decrease from 2013 which showed a 38% disparity. Given the 2010 demographics for whites making up a 43% of the Durham population and blacks 41%, the disparity would seem disproportionate on its face. However, when viewed in the context of enforcement, whites received citations 51% of the time whereas black motorists received citations at a lower rate of 41%.
- 5% (1035) of Black drivers stopped were searched, whereas 2% (253) of white motorists stopped were searched.
- Hispanic motorists saw a decrease of 15% of total stops from the prior year. However, Hispanics were issued citations 59% of the time, this number represents a slight decrease compared to 2013. This is showing a higher percentage of ticketing than the other races.
- Black motorists received a written or verbal warning 31% of the time as compared to white motorist who received warnings 17% of the time.
- There were four citizen complaints regarding bias based profiling during 2014. Of the four, two resulted in findings of “unfounded” and one each of “not sustained” and “exonerated”.

Findings – 5 Year Trend (2010 to 2014)

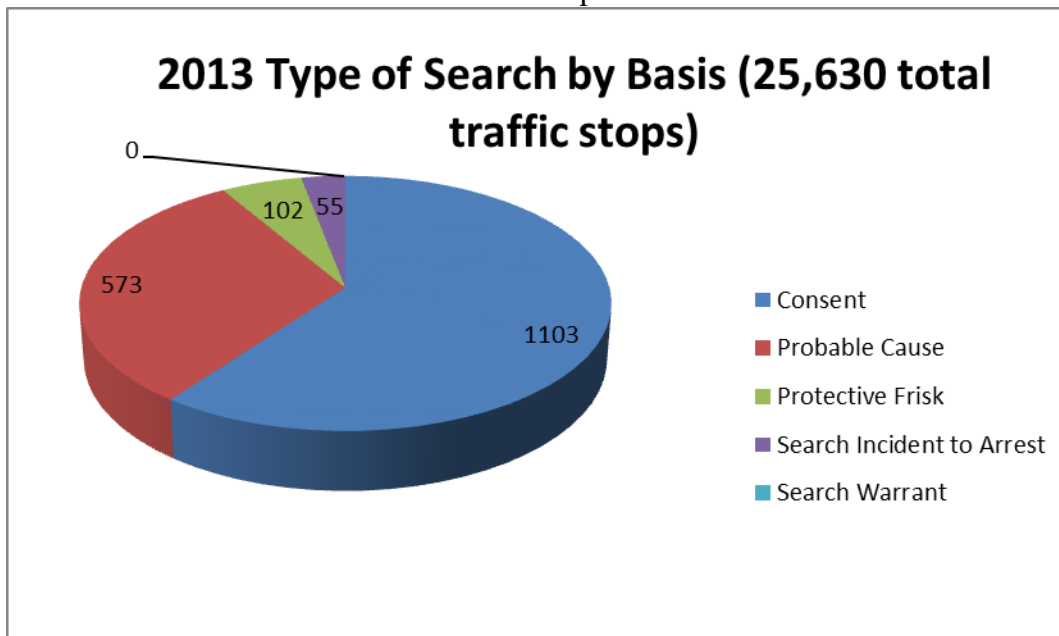
- Although initial stops for blacks remained higher than whites, white drivers were ticketed consistently at a rate higher than black drivers. Hispanic drivers were more likely to receive a traffic citation on a traffic stop than any other race (59%).
- Blacks were the more likely race to be searched during a traffic stop – Average of 8% compared to frequency of stops.
- Given the five-year review, there has been a rather consistent level of racial and ethnic interaction for traffic stop activity.
- The data cannot be viewed in a vacuum, as the act of conducting a traffic stop is not always random in nature and may be the result of enforcement in areas that have a higher volume of calls for service (911 calls). It is the data in conjunction with the formal complaints and community concerns that would provide for statistical validity.

Summary:

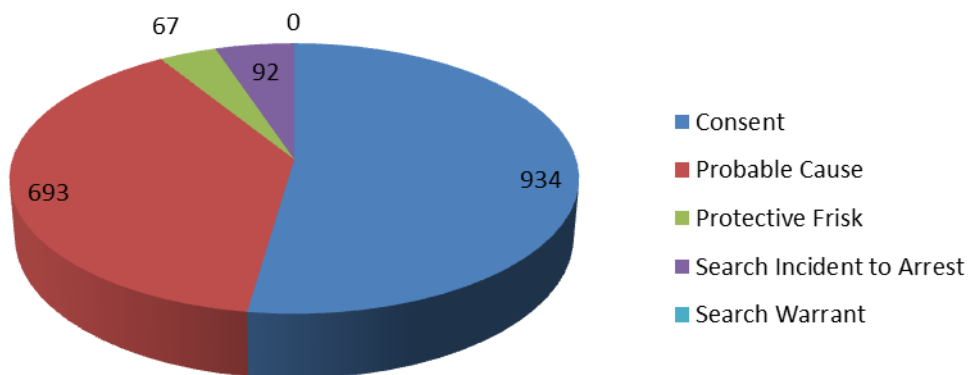
Upon the review of the data and in the context of the other variables noted in this report, there does not appear to be an indication of bias based profiling during our traffic stop encounters. At a micro-level, first line supervisors should continue to monitor their subordinates as they issue citations, warnings and provide data collection for traffic stops. The current policy on Biased Based Profiling appears to be adequately addressing the practice and spirit of the directive in addition sown personnel recently completed in-service training which included a fair and impartial policing block of instruction.

xc: Professional Standards Division Commander
Accreditation Unit

Data chart comparisons:



2014 Type of Search by Basis (21,939 total traffic stops)



2013 Initial Purpose of Stop

